

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

IN RE: ICE LIBOR ANTITRUST LITIGATION

C.A. No.: 1:19-cv-00439

Hon. George B. Daniels

**STIPULATION AND [PROPOSED]  
CASE MANAGEMENT ORDER**

Plaintiffs Putnam Bank, City of Livonia Employees' Retirement System, City of Livonia Retiree Health and Disability Benefits Plan, Hawaii Sheet Metal Workers Health & Welfare Fund, Hawaii Sheet Metal Workers Training Fund, Hawaii Sheet Metal Workers Annuity Fund, and Hawaii Sheet Metal Workers Pension Fund (collectively, "Plaintiffs"), and Credit Suisse Group AG, by and through their respective undersigned counsel, subject to this Court's approval and to the reservation of rights contained below, agree and stipulate as follows:

WHEREAS on May 2, 2019 the Court so-ordered a Case Management Order ("CMO") by stipulation of Plaintiffs and certain named Defendants, setting a schedule for Plaintiffs to file a Consolidated Amended Complaint, and setting a time for the Defendants named therein to respond (Dkt. 142);

WHEREAS, Credit Suisse Group AG is not a signatory to the CMO. At the time the CMO was entered, Credit Suisse Group AG had not been served;

WHEREAS, the CMO states "[s]ervice of a complaint or waiver of such service in one docket shall apply to the Consolidated Action." (Dkt. 142, at 4).

WHEREAS, on July 1, 2019 Plaintiffs filed the Consolidated Amended Class Action Complaint ("CAC");

WHEREAS, Plaintiffs believe they have properly served Credit Suisse Group AG pursuant to the Hague Convention of 15 November 1965 on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters (the “Hague Convention”);

WHEREAS, on August 1, 2019, Plaintiffs filed an Affidavit of Service with the Court purporting to have served Credit Suisse Group AG on July 5, 2019 (Dkt. 187);

WHEREAS, Plaintiffs delivered to Credit Suisse Group AG in Zurich, Switzerland on July 5, 2019 the Class Action Complaint filed in Putnam Bank v. Intercontinental Exchange, Inc. et al, 19-cv-00439, after the superseding CAC had been filed;

WHEREAS, the Court docket reflects that an answer to the complaint would be due September 3, 2019 (Dkt. 187);

WHEREAS, Credit Suisse Group AG disputes that Plaintiffs’ attempt to serve Credit Suisse Group AG was effective or proper;

WHEREAS, counsel have conferred and agree that Credit Suisse Group AG should be subject to the same schedule set forth in the CMO;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED as follows:

1. As set forth in the CMO, Plaintiffs filed the CAC which was entered on the docket on July 1, 2019.
2. Credit Suisse Group AG shall have 60 days from the date of filing of Plaintiffs’ CAC to file its answer, motions to dismiss, or otherwise respond to the CAC. If Credit Suisse Group AG moves to dismiss (whether individually or with one or more Defendants named in the CMO), Plaintiffs shall then have 60 days to respond, and Credit Suisse Group AG shall then have 30 days to file a reply in further support of their motion(s) (whether individually or with one or more Defendants named in the CMO).

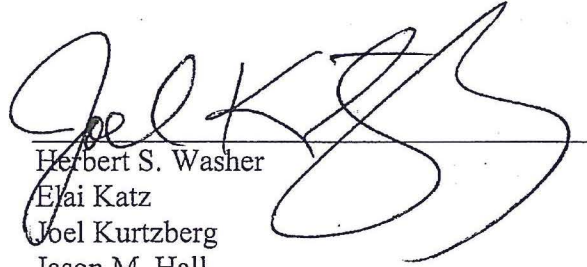
3. No defense of Credit Suisse Group AG to the claims in this action, including without limitation defenses based upon lack of personal jurisdiction, lack of standing, insufficient service of process, improper venue or a defendant having been improperly named, is prejudiced or waived by the execution or filing of this Stipulation.

Dated: New York, New York  
August 27, 2019



David R. Scott  
Deborah Clark-Weintraub  
Peter A. Barile III  
Thomas K. Boardman  
SCOTT+SCOTT ATTORNEYS AT LAW  
LLP  
The Helmsley Building  
230 Park Avenue, 17th Floor  
Telephone: (212) 223-6444  
Fax: (212) 223-6334  
david.scott@scott-scott.com  
dweintraub@scott-scott.com  
pbarile@scott-scott.com  
tboardman@scott-scott.com

*Attorneys for Plaintiffs Putnam Bank, City  
of Livonia Employees' Retirement System,  
City of Livonia Retiree Health and  
Disability Benefits Plan, Hawaii Sheet  
Metal Workers Health & Welfare Fund,  
Hawaii Sheet Metal Workers Training Fund,  
Hawaii Sheet Metal Workers Annuity Fund,  
and Hawaii Sheet Metal Workers Pension  
Fund and the Proposed Class*



Herbert S. Washer  
Elai Katz  
Joel Kurtzberg  
Jason M. Hall  
Adam S. Mintz  
Lauren Perlmut  
CAHILL GORDON & REINDEL LLP  
80 Pine Street  
New York, New York 10005  
Telephone: (212) 701-3000  
hwasher@cahill.com  
ekatz@cahill.com  
jkurtzberg@cahill.com  
jhall@cahill.com  
amintz@cahill.com  
lperlmut@cahill.com

*Attorneys for Credit Suisse Group AG*

**SO ORDERED.**

Dated: New York, New York  
August \_\_, 2019

---

Hon. George B. Daniels  
United States District Judge